MADRAS COURIER.

VOLUME XXV. — **WEDNESDAY, DECEMBER 21, 1808.** — **NUMBER 1211.**

SIR GEORGE and LADY BARLOW, request the honor of the Company of the Gentlemen of His Majesty's and the Honorable Company's Civil, Naval and Military Services, at a BALL and SUPPER at the Government Gardens on Monday Evening the 2d of January, at half past 9 o'clock.

GOVERNMENT GARDENS, *Dec.* 17, 1808.

TO THE EDITOR OF THE

MADRAS COURIER.

Hope of all ills that Men endure
The only Cheap and universal cure
Thou captive's freedom and thou sick man's health
Thou 'losers victory, and thou beggars wealth.

COWLEY.

It is astonishing that man, the most noble being of the Creation, should have so many insperfections as we find him surrounded with. It seems that there is always something that he wants, since no moment in life passes without some desires. Every thing he sees, every thing he hears, and every thing he thinks of, excites in his heart so many passions as nothing can extinguish, and which it is almost impossible to gratify; his weakness cannot answer to the vivacity of his imagination, nor can his imagination furnish the means of satisfying itself; an eternal easiness devours him, which nothing but *Hope* can satisfy.

Though frequently unhappy in his projects, yet man is very eagerly bent upon them; and even the misfortune of having failed therein does for the most part serve him as a fresh motive to prosecute them. This thirst, which he cannot quench, and which incessantly burns within him; these desires always insatiable, and which he is never sure of satisfying, would be to him, no doubt, a terrible punishment, without the hope of success, with which he flatters himself, and which at least renders him happy by the idea he forms to himself, that he cannot fail of being so.

In fact, *Hope* never leads him but through agreeable roads, even to the farther end, where it is forced to leave him; it alone has the power of taking from him the sense of the present, when it is unpleasing, and of anticipating as present the happy time to come, where it proposes to arrive. How distant soever the pleasing object be, *Hope* brings it nigh, so that we enjoy a happiness while we hope for it; if we miss it, we still hope for it; if we come to possess it, we promise ourselves we shall always do so.

Happy or unhappy, *Hope* support and animates us: and such is the instability of human affairs; that even *Hope* itself justifies projects the most adventurous; since by continual vicissitudes of good and bad fortune, we have no more reason to fear what we hate, than to hope for what we desire.

May we not say truly, Hope is to us like a second life, which sweetens the bitterness of that we enjoy from the hands of our Creator? But farther it is the soul of the universe, and a spring the most powerful to maintain the harmony thereof.

It is by Hope that the whole world governs itself. Would laws be enacted, if mankind did not hope a wise policy from them? Should we see obedient Subjects, if each individual did not by his submissions flatter himself to contribute to the happiness of his country? What would become of the arts, and how useless would they be reckoned, without the hopes of the good effects the world must reap from them? Would not the sciences be neglected? Would not talents be uncultivated, and the most happy genius sink to a brutal rudeness, without the flattering hopes of a surer and a more refined taste in every thing that it concerns us to know?

If you ask the Soldier, what makes him expose himself so often to the hazards of days, which he might render less perilous or more easy, he will tell you that it is the hope of glory, he prefers to the Melancholy softness of a life spent in an obscure langour, the Merchant traverses the seas, but he hopes to indemnify himself by his riches for the fears which he has undergone amidst the storms and the rocks, the husbandman, bent down upon his plough, waters the grounds with his sweat, but this very ground is to feed him, and he would give himself no trouble to cultivate it, if he did not expect the certain rewards of his labours. Whatever be our undertaking, *Hope* is the motive to them; it is the forecastle of our success, and is at least, for some time a real blessing in default of that which escapes us. It is an anticipated joy, which is sometimes delusive; but, which while it lasts, affords a pleasure that is no ways inferior to the enjoyment of that which we promise ourselves, and which often effaces the memory of all the sweets we have already tasted in the most happy situation.

And how could we quietly enjoy life, if we did not live from one day to another in hopes of prolonging it? There are none, down to sick persons, even in the most desperate cases that are not shocked at the approach of death, and who have not hopes of recovery almost in the very moment they are expiring.—We can carry our hopes beyond the grave; and at the time when we are endeavouring to render ourselves immortal among mankind full of this flattering idea, we are the more disposed to lose ourselves irrecoverably in the abyss of Eternity.

CENSOR.

THE COURIER.

WEDNESDAY, DECEMBER 21, 1808.

The collection on CHRISTMAS DAY *in* ST. MARY'S CHURCH, *Fort St. George, will be received as usual, and* PRAYERS *will be read on* SATURDAY *Evening at half past* 5 *o'clock.*

APPOINTMENTS, &c.

The Honorable the Governor in Council permits Captain YOUNG, to resign the situation of Agent for Public Cattle, and is pleased to appoint Lieut. HENRY HARVEY, of the 20th Regiment Native Infantry, to that situation.

Lieutenant EDMOND WALLACE of the 2d Regiment of Native Cavalry to act as Cantonment Adjutant at Arcot

Lieutenant Colonel DAVIS, to visit the Presidency on leave of absence for two months.

Lieutenant BUSHBY, of the 6th Regiment of Native Infantry to the Invalid Establishment.

Lieut. Col. ROWLES readmitted to his rank on this Establishment, from the date of his arrival in Bengal.

Senior Lieutenent, Fireworker T. H. J. HOCKLEY, to be Lieutenant, vice Moorhouse promoted; date of Commission the 28th July 1808.

Lieutenant C. M'CAUSLAND thus remains Senior Lieutenant Fireworker.

Mr. Assistant Surgeon SHADFORTH, to proceed immediately to Chicacole, and under the orders of the Superintending Surgeon of the Northern Division will afford medical aid to the troops at that station.

From and after the 1st day of February 1809 no Bank Notes will be received in payment of Revenue or other demands at any of the Subordinate Treasuries under this Presidency.

FORT WILLIAM NOVEMBER 14, 1808.

The Governor General in Council, on a consideration of the strength of the Garrison of Chunar, and of the different descriptions of Troops composing it; resolves, that the Medical duties of that Garrison shall be hereafter permanently placed under the charge of a full Surgeon, and that an additional full Surgeon shall in consequence be brought upon the fixed establishment of this Presidency.

The Surgeon of the Garrison of Chunar will draw in addition to the pay, full Batta, and gratuity of his Rank, as Surgeon, the following Medicine Allowances:—

For the General Staff of the Station and Garrison Staff, Magazine Establishment, and people not attached to Corps, including the allowances for Bazar Medicines, Sicca Rupees 250 per month.

For Detachments of Europen Artillery or other European Corps, with which their own Surgeons are not present, the Established allowance of 17¼ Pie per diem, exclusive of Batta and the usual stoppages.

For European Invalids as above.

For Sepoy Invalids the established allowance of Sicca Rupees 22 8 per mensem, for every 100 men, exclusive of the usual Stoppages.

For Gun Lascars and Pioneers, the established allowances of 16 Rupees per mensem, for every 100 men.

Four Doollies are allowed for the general service of the Troops in the Garrison.

Mr. David Turnbull, Surgeon to the 1st Regiment Native Infantry, is appointed to be Surgeon of the Garrison of Chunar, from the date on which he was placed, in Temporary charge of the Medical Duties of the Garrison, by General Orders of his Excellency the Commander in Chief.

It is a source of the most pleasing satisfaction to us to record such circumstances as tend to encourage virtuous example, and, by handing down to posterity particular instances of human worth and excellence, benefit our Species by exhibiting it as an example for their imitation.

Within these few days the Monument which was sent out from England by the express order of the Vestry of Madras to commemorate the exalted worth of the late Reverend Archdeacon Leslie A. M. many years Senior Chaplain of Fort St. George, has been erected in the most conspicuous part of the Church; and we can with justice declare that the Sculptor has the greatest merit, not only in the execution but in the design, which conveys every idea that is chaste, elegant and impressive. PIETY is exhibited by a female figure, with the HOLY BIBLE in her hand which she is attentively studying; under which is the following Inscription.

The Reverend Archdeacon Leslie, A. M. departed this life, on the 28th day of June, 1804, aged 58 years. His Remains are interred in the burial ground of the parish, and this Monument is erected by the unanimous voice of the Parishioners of Madras, as a token of respect to his memory. He discharged the office of a Minister, in Fort St. George, for more than 20 years, with fidelity and correctness, and during the whole period enjoyed the confidence and esteem of the community at large. His gentleness of manners, his modesty and humility were exemplary, and his whole deportment, such as became the character of a true Minister of the Gospel.

M[illegible] MARRIAGE.

On [illegible] 5th Instant, at Pondicherry, the Reverend W. Thom[illegible], to [illegible] Mary Honorine Bayete.

MADRAS BIRTHS.

At Trichinopoly, on the 7th December, the Lady of Lieutenant Jackson, Fort Adjutant of Trichinopoly, of a Son.

Recently, at Trichinopoly, the Lady of Lieutenant West, of the 1st Battalion 13th Regiment, of a Son.

On the 26th of November, the Lady of Captain Pereira, of the 11th Regiment N. I. of a Son—the following day the child died.

On the 14th December, the Lady of James Plunkett, Esq. of a Daughter.

MADRAS DEATHS.

On Saturday night, at St. Thomé, Lieut. O'Meara of H. M. 33d Regiment of foot.

At Dindegul, on the 9th Jnstant aged 19 Months the Youngest son of Captain P. B Man, of 16th Regt. N. I.

BENGAL MARRIAGES.

At Fort Willam, on the 26th Nov. Lieutenant Broadfield Sissmore, of the 2d Batt. 12th N. I. to Miss Caroline Sibley.

On the same day, Lieut. William Morrison Poole, of H. M. 22d Regt. of Foot, to Miss Catharine Wroughton.

BENGAL BIRTHS.

On the 30th Nov. the Lady of B. Saunders, Esq. of a Daughter.

On the 21st Nov. Mrs. G. Crump, of a Daughter.

On the 26th Nov. Mrs. Derrick Smith, of a Son.

On Friday the 25th Nov. Mrs. Wood, of a Daughter.

At Midnapore, on the 27th November, the Lady of Captain Playdell, of a Son.

BENGAL DEATHS.

On the 2d Dec. Mr. Edward Fareth, aged 80 years, a pensioner on the Charitable Fund.

On the 1st Dec. at the house of B. Saunders, esq. Mr. J. G. Healy, late of Bankipore.

On the 31st Nov. Mr. William Limond.

On the 27th Nov. Mr. William Porter.

At Chinsurah, on the 29th Nov. after a lingering illness of near three years, which he bore with great fortitude, Mr. John Mellecksett, an old and respectable Armenian Inhabitant of that Settlement.

Lately, at Rungpore, Charles Radcliffe, Esp.

On the 18th Nov. at Purnea, Mr. George Thomas, indigo manufacturer.

BOMBAY BIRTH.

On Sunday the 4th Dec. the Lady of Captain Learmouth, of a daughter.

BOMBAY DEATH.

On the 4th December, Sir Miguel de Lima e Souza.

TO CORRESPONDENTS

The Communication of J. H. from Negapatam cannot be inserted, as it is on the subject of Indian Politicks, which it is not deemed prudent to discuss in a public print.

Many favors have been received, and are under consideration.

STATE of the THERMOMETER in Fort St. George, in a moderately exposed room opposite the Sea.

Date	7 A.M.	Noon.	3 P.M.	8 P.M.	Remarks.
Dec. 14	80	81½	81½	80	....
15	79½	81	81	80	....
16	80	81½	82	80½	....
17	80	82½	80	81½	....
18	81	82	82	89	....
19	76	78	78½	77	....
20	76½	79½	80	78	....

Arrival.—Colonel Davis, Captain Webster, Lieut. G. Johnstone, H. M. 34th Regt. Lieut. Scott, Surgeon J. Wyse, Assistant Surgeon M. Serjeant, Assistant Surgeon Peppin, 2d Bat. 25th Reg. Mr. Savage, Commander of Ship Jessy Ensign J. W. Taylor, Ensign R. Taylor, and Mr. Aveline Cadet.

Departure.—Lieut. Gen. H. Macdowal, Lieutenant Colonel Gore, Lieut. Colonel F. Aiskell, Captain Coombs, Capt. Taylor, Capt. C. Hodgson, Lieut, J. Ferns, 13th Reg. Lieut. P. Lerride, 2d Ceylon Reg. and Lieut. C. Waddell 1st Bat. 21st Reg.

CALCUTTA,—DECEMBER 3, 1808.

FORT WILLIAM,—Nov. 26, 1808.

The Public are hereby informed, that from this date, the Bills to be granted by the Right Honorable the Governor General in Council, on the Honorable the Court of Directors on account of the Sinking Fund, will be drawn until further notice, at the Exchange of two Shillings and Four Pence the Sicca Rupee, payable three Months after Sight.

Published by Order of the Right Honorable the Governor General in Council.

T. BROWN, *Chief Sec. to Govt.*

ST. ANDREW'S DAY.

Wednesday last being the Anniversary of the Tutelar Saint of Scotland, a select party of sixty or seventy of the merry, and patriotic Sons of Caledonia, met at Moore's Rooms to celebrate the joyful day. Mr. F[illegible]irlie was elected to the Chair, which he filled with unusual spirit and good humour. A better Dinner, including a profusion of Haggisies, Sheep's Heads and Kale, was never perhaps laid on an Indian Table, for which Mr. Moore seemed to have full credit. Of the fifteen fixed Toasts, none were drank with more Enthusiasm than "*The lauds of Beef and Potatoes*" with three times three—The immortal memory of Robert Burns was given by the President as one of the supplementary Toasts, and drank with becoming reverence.

During Dinner, Cunningham's Scottish Band played appropriate Tunes without having occasion to borrow one from any other nation, and his alternate plaintive and animated *springs*, met with universal approbation. At ten o'clock the singing commenced by an excellent *Earse* song from Captain Cameron, of the Dutchess of Gordon, who was joined in the Chorus by some of the more Northern Brethren, which was received with rapture.—National Songs followed briskly during the rest of the evening, and better singing has seldom been heard any where. Of the numerous, beautiful and lively songs,—"*Auld lang s ne*"—"*Kauld Kale O' Aberdein.*"—"*The Barley Brie*"—and "*Bannocks o' Barley Meal*"—seemed to be the favourites.

At two o'clock the junior part of the meeting felt an irresistable desire to shew their graceful Shapes in the Dancing room, where *Tulloch Gorum,—The Miller O'Drone,—Delvin Side*—with some of the best of Cunningham's Collection, were never better danced to. The Highland Fling was not forgot, and the respectable President himself could not refrain from "shaking a leg"—and the jovial son's o' Scotia continued to exhale copious libations till an early hour on Thursday morning—some of them did not retire from the field of harmony, till the crowing of the cock summoned them away.

The following are the principal Toasts, &c. given on the occasion:—

TOAST 1.—The Kirk of Scotland.
Tune.—Tobar na Feu'sag—Below the bush in the Garden.
TOAST 2.—The pious Memory of St. Andrew.
Tune.—Birks of Invermay—Keep the Kintra bonny Lassie.
TOAST 3.—The King.
Tune.—God save the King—The Auld Wife a'yont the fire.
TOAST 4.—The Queen and Royal Family.
Tune.—Flowers of the Forest—My Joe Janet.
TOAST 5.—The Land of Cakes.
Tune.—Cauld kail in Aberdeen—Athole Brose.
TOAST 6.—The Land of Beef and Potatoes.
Tune.—The tight little Island—Paddy O'Rafferty.
TOAST 7.—The Duke of York, and the Army.
Tune.—The Duke of York's new March—Niel Gow's Wife.
TOAST 8.—The British Navy.
Tune.—The Wooden Walls of old England—Jack's Alive.
TOAST 9.—The East India Company.
Tune.—De'il tak' the Wors—Tulloh Gorum, or may Peace and Plenty be their lot.
TOAST 10.—Lord Minto.
Tune.—Lord Cornwaili's March—Speed the Plough.
TOAST 11.—General Hewett and the Bengal Army.
Tune.—March of the 42d Regiment—Ossian's Hall.
TOAST 12.—Honest men and bonny Lasses.
Tune.—A Man's a Man for a' that—Kiss me fast ma Mither's coming.
TOAST 13.—The Beggar's Bennison.
Tune.—O! the days when I was young—Fy let's a' to the Bridal.

His Excellency Vice Admiral Sir Edward Pellew, Bart leaves Calcutta to-morrow, in the Pilot Schooner which conveyed His Excellency from Saugor, to join the flag ship laying there:—Captain Pellew and his Lady accompanying the Vice Admiral.

During the time His Excellency has been in Calcutta, the Vice Admiral's flag has been hoisted on board one of His Majesty's sloops of War, laying off the Esplanade.

The Ship Hunter, Captain Robson, about to sail from hence to New South Wales, has taken on board 300 head of Cattle, besides other cargo for that settlement.

The brig Hibernia, Captain Burnsides, left Calcutta on Tuesday last, bound also to Port Jackson, from whence, we understand, she will proceed to the Feejie Islands, for the purpose of procuring a cargo of Sandal-wood, which article it appears, affords a very handsome return, at China.

Captain A. Forrest, lately returned to Calcutta in the Duchess of York, from New South Wales and the Feejie Islands, proceeded on the Hibernia.

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SUPREME COURT.

This morning commences the second Sessions of Oyer and Terminer and General Gaol Delivery, and also an Admiralty Sessions;—the Court assembles at 9 o'clock.

We are informed that the Calendar exhibits several Indictments for Murder, and some others of various descriptions.

CORRESPONDENCE.

To Captain COLLINS, late Commander of the Honorable Company's Ship Travers.

DEAR SIR,

When we reflect on all the circumstances attending the loss of the Travers, our escape from the scene of that disaster appears increasingly surprising to us. After a voyage, unusually prosperous, and when we seemed almost in the act of landing on the shores of India, we were roused from sleep by a shock as tremendous as it was unexpected. Those only who have actually borne a part in such scenes, can conceive the nature of our alarm on that occasion; it plainly appeared that without some signal interposition of Divine Providence, our destruction was inevitable.

Whilst we now record that interposition with admiring gratitude, we feel it incumbent on us to acknowledge, that we are indebted for our deliverance (under God) to your exertions. In the moment of confusion, when every thing depended on the good conduct of our Commander, you were calm and collected. Amidst all the solicitude you felt and expressed for our safety, your orders were given with deliberation, and the measures you adopted did honor to your skill as a Seaman, and to your character as a Man. When we reflect on the difficulties which opposed the launching of the Long boat, we are astonished how it could be effected under such circumstances, and cannot speak too highly of the judgment you displayed, or of the promptitude, and alacrity with which your orders were executed by all the Officers and Seamen.

That was a memorable moment when 120 persons, rescued by your exertions, from a watery grave, passed under the stern of the Earl Spencer, and were cheered by the loud and reiterated congratulations of their fellow creatures: and as the cordiality of our reception by Captain Heming and his passengers, can never be effaced from our memory, so neither can we cease to recollect our obligations to you, through whose skill we were brought away from the wreck, and by whose guidance we were placed in safety under the protection of that hospitable Commander.

Impressed with this conviction, we offer you our public acknowledgments, and beg your acceptance of a piece of Plate; which although we are sensible it is a trifling expression of our gratitude, will be gratifying, we hope, to your feelings as our Commander, and hold out an encouragement to others to imitate your conduct in similar circumstances of danger. With our best wishes for your health and happiness.

We remain, DEAR SIR,
Your obliged Servants, &c.

Thomas Thomason, Chaplain at Calcutta, (for himself, his Lady, and two Children,)—Charles Ball, Chaplain at Madras,—J. W. Grant, (for himself, and his Lady,)--Samuel Dew,--S. Sharp, —W. Woollaston,—A. T. Hamilton,—C. Fergusson,—P. Lawtie,—R. Mamington,—W. Kempe,--A. Crawfurd,--J. Rourison,—W. Welsh —R. Shedden,—J. Luxford.

Calcutta, November 21, 1808.

To Mr. Thos. Thomason, Chaplain at Calcutta, (and family,) Charles Ball, Chaplain at Madras, J. W. Grant, and family, Samuel Dew, S. Sharp, W. Woollaston, A. T. Hamilton, C. Fergoson, P. Lawtie, R. Manington, W. Kemp, A. Crawfurd, J. Rorison, W. Welsh, R. Shedden, J. Luxford,

GENTLEMEN,

I cannot sufficiently express my thanks at the flattering Mark of Distinction you yesterday were pleased to pay me, in your public approbation of my conduct on the loss of the Travers, and at the honor you confer on me, in requesting my acceptance of a piece of Plate. I receive it with the greatest pleasure, but, at the same time, must add, that the exertions I made for the preservation of the Passengers and Crew on that melancholy occasion, and in which I had the happiness of partly succeeding, through the assistance of a merciful Providence, were no more than my duty, as a Man, and Commander required.

Permit me also to offer you my warmest thanks for the invariable good conduct observed during our Passage from England, more especially at the moment of that disastrous Event, which has drawn forth the public Tribute of your approbation.

Sincerely wishing you may enjoy every health and Prosperity, I have the honor to remain,

GENTLEMEN,
Your most obedient Servant,
JOHN COLLINS,
Late Commander of the H. C. Ship Travers.

CALCUTTA, *December* 1, 1808.

As the outward bound Indiamen, which were stationed in May, and the beginning of June last, and ordered to prepare for Sea, were not expected to leave England earlier than the middle of August, any estimate of the time of their arrival here, must be particularly precarious. The period of their dispatch would probably be postponed, and the season at which they were expected to sail, is so unfavourable to the chance of an expeditious passage, that there is little probability of their reaching Bengal before the beginning or middle of January. We feel feel the more interest in the arrival of this fleet, as it is likely to prove the medium of our first intelligence from Europe.

We have however no expectation of news, of much moment, from that quarter, for some time to come, no great events indeed, were in course of *denouement*, at the date of the latest advices; on the contrary, the face of affairs promised a remission in the field of public activity.

Bonaparte, it was believed, had suspended his plan of operations against Turkey.

Parliament would rise in the second week of July.

It was not doubted that the final propositions, submitted by His Majesty's ministers to Congress, which conceded almost every point, but that of the right of search of American Merchantmen for British seamen, would be accepted, in which case the two Countries would be restored to peace and amity; and, if, contrary to all expectation, they should be rejected, America would be left quietly to seek redress in the enforcement of her embargo laws.

The state of Spain gave no expectation of much further popular agitation or commotion. Portugal had yielded to necessity, and submitted to her fate.

Holland, Germany, and the Countries of the North, appear to have reconciled themselves to their sufferings and public grievances, with that practical philosophy for which they have been so long famed.

All the principal Ports of the Continent are so completely blockaded by the British Navy, that they can scarcely send a gun boat to Sea, while the Coasts of France and her allies are completely shut out from all foreign intercourse.

From this cursory and imperfect view of some of the principal features of public affairs in Europe, it will, perhaps, be allowed, that no period has presented, for some years past, in which the great political, naval, military or commercial Fields of action, have promised less important or interesting events, than that to which the latest accounts from Europe extend. Unless some of those great and unexpected events, and which elude all human anticipation, shall arise to give a new turn to the face of affairs on the Continent, we can discern no immediate prospect of any such change, in the ordinary course of things.

On the removal of the Dutch Court from Utrecht to Amsterdam, in May last, King Louis received an Address from the Magistracy of the latter City, to which the King made a public reply—neither of the documents deserve further notice than as they shew, on the authority of those best qualified to judge, and least disposed to exaggerate the case, the distress that is experienced in that Country from its commercial restrictions. We select a single passage from the Address, and one from the King's reply, touching that subject.

The Magistrates say,

"We are perfectly convinced that all the difficulties Commerce experiences, in consequence of these strict regulations, which the present situation of Europe require, that all the distress of which our City (of which trade is the only support) now suffers, would be infinitely more severe if the vigorous measures, which your Majesty in your great wisdom, has adopted, had not the wholesome object of preventing by temporary sacrifices still greater misfortunes, &c. &c."

To this passage the King replied:—

"I had hoped that a maritime peace would, ere now, have permitted me to put Amsterdam in possession of a right, which I had conceded, and the enjoyment of which I shall always secure to this city. But unfortunately the period of general pacification is still distant. All my people suffer by this long protracted warfare: your city more particularly suffers.—I am solely occupied in finding means to diminish the distresses of the Country, and when a general peace shall have given tranquility to nations, and consoled suffering humanity, when the present hardships shall be removed and forgotten, still shall I retain a lively feeling of all the difficulties with which the first years of my Government have been accompanied."

CURRRNT Value of GOVERNMENT Securities.
NOVEMBER 29.

Buy.		*Sell.*
5 0	Six per Cents.................. discount	5 8
par.	Old Eight per Cents...............do...	0 4
0 6	New Eight per Cents; Interest payable half-yearly.................. discount.	*par.*
par.	Eight per Cents. of 1801-2-3-4......do.	0 4
3 0	Ten per Cents. Decennial...... prem.	2 8

BOMBAY,—DECEMBER 3, 1808.

On Thursday Brigadier General Malcolm, arrived at the Presidency from Bengal in His Majesty's Ship La Chiffonne, and on the same day landed under an appropriate salute from the fort. The General was accompanied by N. H. Smith and Henry Ellis, Esqrs.

Arrrived the 26th ultimo Sylph Schooner, Lieut. D. D. Conyers, from Muscat.

28th Ditto Portuguese Snow, St. Pedro, Capt. Joao de Mendonies, from Dieu.

December 1st arrived the ship Maria Capt. Pringle from Calcutta, and the Honorable Company's brig Natilus, Lieut. R. Bennet from Bushire and Muscat.

December 3, Ship General Wellesley, Commander Thomas Henderson, from Bengal, and the Ship Mary, Commander Thomas Barden, from Baypour.

December 4, Sailed H. M. Ship Psyche, John Edgecombe, Esq. Captain.

Law-Intelligence.

COURT OF VICE-ADMIRALTY.

CALCUTTA, NOVEMBER 26, 1808.

Before the Hon. Sir Henry Russell, Commissary.

This day the Court met, pursuant to adjournment.

Mr. Smith, the Advocate General, moved for a rule to shew cause, why the Marshall of the Court of Vice-Admiralty should be directed to release the ship *Barretto*, now under detention in this river. Mr. Smith stated, from the affidavit of the owner, Captain Macartey, that the *Barretto* had been captured, in the month of July, 1806, by a detachment of his Majesty's ships, cruizing in the Eastern seas, under the command of Captain Elphinstone;—that she was, at that time, a vessel in the Dutch East India Company's service,—was named the *Batavia*, and, at the period of her capture, was on a voyage, in company with two other ships taken at the same time, from the Moluccas to Java;—that, when she was brought into Penang by Captain Elphinstone, she was in so disabled a state, as to preclude the possibility of sending her for adjudication to any port in India, where a Prize Court was then established;—that she had consequently been put up to sale on account of the captors,—had been purchased by a Mr. Douglas, and afterwards re-sold by him to the present owner Captain Macartey, far the sum of 10,500 dollars,—which sum, in the actual condition of the vessel, was deemed a fair and adequate price; that Captain Macartey, at the time of purchase, or immediately afterwards, had applied to Sir Thomas Troubridge, then Commander in Chief of his Majesty's squadron upon that station, to know what steps had been taken towards the adjudication of the said vessel, and that he had received the most satisfactory assurances, that the ship's papers, together with the examinations taken before the Magistrate of Penang, and all other necessary documents, had been forwarded to the High Court of Admiralty in England, where in due course the regular proceedings would be instituted;—that, upon the faith of these assurances, Captain Macartey had laid out the sum of about 4000 dollars, in the repairs, which were absolutely necessary to enable the vessel to proceed to Calcutta;—that, on her arrival at Calcutta, he had expended the further sum of 30,000 Rupees in her equipment; that he had borrowed the money for this purpose, from Messrs. Baretto and Company, on a mortgage of the ship to that house; that this mortgage still remains unredeemed:—and that, what with these, and what with subsequent disbursements, the actual cost of the vessel, as incurred by Captain Macartney, had accumulated to upwards of 90,000 Rupees, or about three times the sum originally paid to the captors. Mr. Smith, then proceeded to state, that, from the period of her sale until the present time, the *Barretto* had sailed from port to port in India, without let or question; and that she had now been seized by the Deputy Marshal of the Vice-Admiralty Court, by the mere authority of his office, without any warrant from the Court. There were no claimants to her, nor, from the nature of the case, could any claimant be expected to appear. Situated as Capt. Macartey was, it was entirely out of his power to produce the documents necessary for her condemnation. The only title which he had was the Bill of Sale, granted by the captors. The other documents had never been in his possession. They had been forwarded to England, for the purpose of appearing in evidence before the High Court of Admiralty; and, though he certainly had received no direct information with respect to the consequent proceedings, he had the strongest presumptive grounds for believing, that the case had in due course come under the cognizance of that Court, and that the ship had actually there undergone, a regular condemnation. It so happened, that advices had been received in Calcutta, of the abjudication of another vessel, the *Victoria*, which had been captured in company with the *Batavia*, and whose papers had been transmitted to England, at the same time, and under the custody of the same person. This fact was expressly mentioned in a letter received by the house of Hogue, Davidson and Co. from one of their partners in England, which letter he should now read. [Here Mr. Smith, read the letter.] The *Victoria* was formerly the *Lucy Mary*, of this port, and had been the subject of a suit in the Court of Vice-Admiralty at Bombay. Of the three prizes, she was the only one, to which there were any claimants. If she was condemned therefore in the Court at home, it was reasonable to infer, that the two others were condemned at the same time. Mr. Smith here declared, that nothing was further from his intention, that to question in any manner the power or right of his Majesty's Commissary, to grant monitions for the detention of Prize vessels or goods, not only in cases where claims were actually brought before him, but in every case, where it might come to his knowledge, that an uncondemned prize had arrived within his jurisdiction. He was ready moreover to admit, that, in many instances, it was the Commissary's duty to take cognizance of such cases, by mere virtue of his office, without waiting for any regular information. But he relied upon the declaration, which his Lordship had made at the opening of this Court, that as far as the Law would permit him, he should be inclined to make every fair and indulgent allowance for such irregularities, as, through the absence of Prize jurisdiction, had become general or habitual, in this country, and to refrain from any very rigid retrospection of cases, where there was no evidence of evil intention: ane he contended, that it was not imperative upon a Court of Vice Admiralty to grant a monition, in every instance, where application was made to that effect. Mr. Smith here cited various cases, in which the Judge had exercised a discretionary power, of refusing the monition, where there appeared to him to be no proper grounds for the application,—and more particularly, where he had been actuated in his refusal, by a tenderness for property, that had previously undergone a conversion by fair sale. In one case of this description, Sir William Scott had directed the claimant to bring his action in the first instance against the captors, instead of bringing it against the goods. Seeing then that the Court was vested with such a discretion, there could hardly be imagined a case which had a stronger claim upon its lenity than the present. That it was an irregular case, could not be denied. The ship has been sold without abjudication, and was still in the situation of an uncondemned vessel. But, on the other hand, it appeared in affidavit, that she was brought into Penang completely dismasted and disabled, and could not have been equipped for proceeding to Ceylon (at that time the nearest place of prize-jurisdiction in India), but at an expence equal to more than half her value,—that the charge and waste attending her detention at Penang, until sentence of condemnation should be received from England, would be equivalent to the total annihilation of the property, and that the captors therefore had no alternative but to sell her. On the part of Captain Macartey, nothing had been wanting. He had applied to Admiral Troubridge, for information and authority, and finding the transaction sanctioned by an Officer so high in command and responsibility, he naturally concluded that every thing was regular. There existed moreover the strongest presumptive evidence, that the requisite legal proceedings had actually been instituted. A bona-fide letter had been produced in Court, which noticed the condemnation of another Ship, taken at the same time, and under the same circumstances with the *Batavia*: As the documents relating to all the three vessels had been transmitted to England by the same conveyance, it was of course to be inferred, that they had all come at the same time under the cognizance of the High Court of Admiralty. According to the very principle, by which the seizure of this vessel was now defended, it must have been the duty of that Court, when the case of the *Victoria* came before it, to ascertain what had been done with her consorts;—and it would be a gross impeachment of the vigilance of the eminent Judge who presided there, to suppose that they had escaped his notice. In addition to all these circumstances, the peculiar hardship of Captain Macartey's present situation ought to be taken into account. He had vested capital in his purchase, equal to twice the amount of the purchase money;—that capital was now inseparable from the subject matter in question;—and a great portion of it had been borrowed on mortgage. In the mean time, the expence incurred by waste and demurrage in this river, was utterly ruinous; and was felt the more grievously, as an opportunity now offered of employing the vessel on freight or disposing of her by sale,—which, if the detention were continued, would in all probability be lost. Mr. Smith then concluded, by expressing his doubts as to the legality of the Deputy Marshall's conduct, in taking possession of a vessel under such circumstances, without first obtaining a warrant to that effect from the Court. At the same time, he declared, that he had no wish to take advantage of any irregularity in the proceedings. He conceived the Court could have no difficulty in acceding to his motion upon the fair and plain merits of the case.

Mr. Strettell, on the part of the Crown, rose to oppose the motion. He began by observing that the reputation and honor of Great Britain, and more especially of the British Navy, were deeply implicated in the question before the Court. The question was simply this,—whether the Naval Officer, who brought a prize into port, was also to have the power of condemning that prize. Mr. Strettell here expatiated on the peculiar duties and functions of a Court of Admiralty. No captor was at liberty to break bulk or in any way to touch or commute the property which he had taken, until he had first brought it to adjudication. It was not enough, that a captured vessel was conducted into port. The prize act required, that she should be brought into a *convenient* port;—and certainly a port, so remote from the prize-jurisdiction, before which the case was to be tried, as Penang is from Great Britain, could not come under that denomination. Now that Courts of Admiralty were established all over India, it was not to be endured, that a Naval Officer should have it in his power to compel those who might have just claims against his prize, to follow him to a tribunal on the other side of the globe. Mr. Strettell proceeded to assert the legal right, which, (under strict responsibility indeed,) he conceived the Marshal of a Court of Admiralty, in the fullest sense to possess, of seizing and detaining all prize vessels, which had not undegone a regular condemnation. He contended that this right had been properly exercised in the present instance, and quoted a decision of the High Court of Admiralty, in proof of his opinion. He professed, that, under all the circumctances of the case, he should have been inclined to treat Captain Macartey with lenity, and perhaps to have consented to the release of his Ship, upon bail, had he come into the Court in that humble and suppliant manner, which became him. But, as he had thought proper to bring the question forward in such a shape,—openly to avow the illegality of the transaction, at the same time that he claimed the release of his Ship as an act of justice, Mr. Strettell conceived it to be his duty to resist the motion.

Mr. Smith, in reply, recapitulated the greater part of his former arguments, which were exclusively founded in the peculiar circumstances of the case, and had no relevance whatever to the general and undisputed doctrines of Prize Law. He was surprized to hear his client charged with contumacy, because he had candidly come forward and told the whole truth to the Court, instead of giving in a garbled statement of his case. He had yet three days left to put in his answer to the monition, and Mr. Smith was not aware of any circumstance in the present motion, which evinced the smallest degree of disrespect towards the Court. As to the case cited by his learned brother, in proof of the power of the Marshal, it was a case of enemy's goods imported on account of an enemy into the river Thames, and consequently liable to seizure, not only by a Marshal of the Court of Admiralty, but any one of his Majesty's subjects. It bore no analogy whatever therefore to the case now in question.

Sir Henry Russell then delivered his judgement, in terms nearly to the following effect. When I took my "seat as Commsssary upon this Bench, I declared my intention of abstaining, as far as I legally could, from any severe retrospect of the many irregularities, in the disposition of captured property, which, in consequence of the absence of judicial controul, had become so frequent in this part of the world—Assuredly, I will not depart from that declaration. *As far as I legally can*, I am ready to treat such cases with indulgence.—Not however a single jot further. The present case is prima facie a fit subject for very serious investigation.—The Ship is avowedly an uncondemned prize; and I take this opportunity of declaring my firm determination, that no uncondemned prize, which may come within the jurisdiction of this Court, shall ever be allowed to pass out of it, until we shall have had some dealings with her. What the nature of those dealings may be, will partly depend upon the circumstances of the case. In the instance now before the Court, I am ready to admit, that there is no appearance of any illicit or fraudulent motives in the parties concerned. At the same time, I am by no means satisfied, that the Ship could not have been brought to adjudication in this country. When she arrived at Penang, she was without masts. Might she not have been equipped with jury-masts, and sent over to Ceylon? There is no evidence here, to convince me that she might not. Instead of that, her papers are sent to England; and, in the mean time, she is put up to sale, at the risk of the purchaser. It is somewhat extraordinary, that, after an interval of two years, nothing certain should be known of the proceedings that have been held upon her in England; And, however much I may be disposed to treat the case with leniency, I cannot omit to notice the impropriety and illegality of thus bringing an uncondemned Ship into the market. In this, as in every other such instance, the badness of the title must have been compensated by the lowness of the price. The rights of the Crown may thus have been sacrificed to the private convenience of the captor: while the interests of all persons having claims on the vessel, if any such there were, must have been exposed to the most indefinite hazards. Such irregularities have been too frequent in India. I need not say, with what mischiefs they are fraught, or in what difficulties they are apt to involve all parties who are concerned in them. It was chiefly from a conviction of their general prevalence and evil tendency, that it was thought proper to constitute this Court, and the other Courts of Vice-Admiralty in India; and I have received the most positive instructions, and injunctions and injuctions, without loss of time, to investigate and correct them.—As to the right of the Marshal to take possession of a prize-vessel, without any warrant from the Court, I apprehend there can be no doubt. For any vexations detention, or for any detention obviously made with mercenary views, the Marshal is strictly responsible, and will be called to a severe account by this Court. But, on the other hand, in the vigilant exercise of his lawful functions, he is equally entitled to our protection and applause.—In the present instance, he did his duty, in detaining the ship; in as much as she is an uncondemned prize, and for that reason, liable to be seized, not only by the Marshal of this Court, but by any Officer of the nature of the jurisdiction, which a Court of Admiralty is bound to exercise over uncondemned prizes, I shall read to you the opinion delivered by Sir James Macintosh, soon after the opening of the Admiralty Court at Bombay. I read it is true, from a newspaper, where perhaps it may not be given with perfect accuracy. I fully subscribe however to all the sentiments which it conveys; and, if you please, you may consider them as my own. [Here Sir Henry read an extract from the speech of Sir James Macintosh, on the occasion alluded to.] These are the sentiments "of a lawyer, who has been more versant than most of us in the practice of the Admiralty Courts. They entirely correspond with mine, though I perhaps could not have expressed them so well. Upon the whole view of the present case, I am inclined to adopt a middle course. I will treat it with as little harshness as the law will permit. At the same time, I can upon no account consent to the unconditional release, which is prayed for. I conceive that I exercise the utmost lenity which I am justified in exercising, when I direct the vessel to be restored to the plaintiff, upon his putting in bail, to the amount of the original

(Continued after the Poetry.)

Vol. 25, No. 1211. MADRAS COURIER. Dec. 21, 1808.

POEMS

SUNG BY MR. JOHNSTON,

IN THE NEW OPERA
Called the Jew of Mogadore.

" Paddy Shannon high mounted on his trotting little Poney
Set off in a Gallop from Leather lane to Bow
To ogle Widow Wilkins, whom he courted for her Money
And tugging at his Bridle cried, "Who-a my love Who-a."
Beneath her Bow Window young Shannon took his Station:
The Night it was dark, so he whisper'd, "yo ho."
Then sweetly serenaded her with whack now botheration
" Mrs. Wilkins will you marry me?" "O no, my love, no."

O Cruel Widow Wilkins, to refuse me would be horrid,
My spirits are so high, my finances are so low,
All the Brass in my Pocket, has mounted to my forehead,
Dear Widow wont you marry me, "O no, my love, no."
O ye Powers, bellow'd Pat, with Jealousy I quiver
I-m love Sick—with Pistols to Battersea I'll row,
And shoot at my dear Image as reflected in the River.
She sigh'd in tender Sympathy, "Aye go, my love go :"
Then wav'd her lilly hand and cried, "Go my love, Go."

(Continued from the second Page.)

" purchase-money,—an amount greatly below the present value of the ship. As the detention was perfectly regular and legal, I likewise conceive it equitable, that the Marshal's expences should be paid. With this proviso therefore I adjudge the vessel to be released,—Captain Macartey giving security, to the amount of 21,000 Rupees, that he will abide the decision of the High Court of Admiralty in the case of the *Batavia*, should such decision have taken place,—or, if otherwise, that he will abide the decision of this Court."

The Court then proceeded to adjudscation, in the case of the Danish ship *Maria*, taken by H. M. ship *Modeste*, Captain the Hon'ble George Elliot, in the harbour of Serampore. The examinations being read, and no claims appearing, either on the part of individuals or of the Crown, she was condemned as prize to the captors.

The next case was that of the French Corvette *Jena*, likewise captured by H. M. ship *Modeste*. The Court first passed sentence of condemnation on the ship; and then proceeded to hear various claims, preferred by individuals, to a quantity of dollars found on board, at the time of her surrender, which had been taken out of the ship *Swallow*, whom she had intercepted on her passage from Penang to Calcutta.

The first claim was that of Mark and Anthony Lackerstin,—to a box shipped from Penang, containing the value of 4,000 Dollars, in Dollars and Gold Dust. The bill of lading, and the affidavit of one of the owners was produced, in evidence of the identity of the box claimed.

Mr. Strettell, on the part of the captors, contended that the evidence of identity was not sufficient,—inasmuch, as it only went to prove, that a box of that description had been shipped at Penang, but did not by any means establish, that the same dollars and gold dust had been conveyed, in the same box, from the *Swallow* to the *Jena*, and had arrived in the latter vessel at Calcutta. Besides, the bill of lading did not sufficiently distinguish between the value of the dollars and that of the gold dust; and the only box at all answering the description, was marked with the letters M. A. L. instead of M. L. as specified in the bill. Mr. Strettell further expressed his doubts, as to how far the case of goods transhipped into an enemy's vessel could be considered as coming under the provisions of the prize act. The act, in ordaining the restoration of recaptured goods to the owners, seemed to identify the goods with the ship by using the phrase "ship *and* goods," instead of ship *or* goods." And when it was considered that the rights of postliminium did not extend to goods by the Roman Law, which, in all questions touching the Jus Gentium was the Code chiefly observed by legislators, it might fairly be argued, that the phrase of the act had not been accidentally modified in that manner.

Mr. Lewin contended for the claimants, that the identity of the box was as completely established, as the circumstances of the case would admit. The whole of the treasure, with which the *Swallow* was laden, had been conveyed on board the *Jena*, and there was therefore the strongest prima facie presumption, that it must have been conveyed in the *Jena* to Calcutta. If the opposite party had any doubts upon the subject, he conceived that the onus probandi rested with them.

Sir Henry Russell. " Upon the point of law in this case, I conceive there cannot be the smallest doubt. None such at least exists, in my mind. The spirit and purpose of the act is obvious It is founded on this obvious principle,—that the King does not make war upon his own subjects, and that their property, when found in the possession of an enemy, ought therefore to be restored to them. The evidence adduced in the present case appears to be in some points imperfect, and if prayed for, I shall order further evidence to be given in. I think, that the letter which covered the bill of lading, ought to be produced in Court, and likewise perhaps some specification of the weight of the dollars and of the gold dust, distinguished from each other. As to the difference between the marks on the box and those specified in the bill of lading, (a difference, which is common to this, with almost all the other boxes of treasure, found in the ship,) it certainly is a very unaccountable circumstance. I entertain too high a respect for the character of British Officers, to admit a suspicion of the marks having being altered subsequent to the capture of the *Jena*, and as the Frenchmen would naturally be anxious to preserve every thing in its proper state for the cognizance of their Prize Court at the Mauritius, it is not easy to discover any motives which could have induced them to make such an alteration.

Mr. Strettel stating that further evidence was prayed for, the captors being apprehensive, that the claims preferred would exceed the actual amount of the treasure found on board the *Jena*, the Court accordingly directed, that further evidence should be given in.

The next claim was on behalf of Messrs. Barretto and Co. to a box containing 3000 dollars. In this case, the box was identified and its transhipment from the *Swallow* to the *Jena* fully substantiated by the evidence of Mr. Dunbar, a passenger on the *Swallow*. The claims of Downie and Co. to a box of 4000 dollars, of Fairlie, Gilmore and Co. to one of 6000, of Alexander and Co. to one of 1500, and of Colvins and Bazett to one of 1700, were likewise substantiated in a similar manner. In all these cases, the Court adjudged restitution to the claimants, costs being in the first instance deducted, and then a salvage of one eighth to the captors.

In the case of an Armenian merchant at Madras, who claimed a box of 1600 dollars, further proof was required; as also in that of a Native, whose behalf Downie and Co. had preferred a claim of 2300 dollars, the box described having been found to contain the larger sum of 2700 dollars. Mr. Dickens attempted to shew that the excess arose, from several smaller sums, which he was likewise instructed to claim, having been added to the contents of the box. It appeared however, that the addition of these sums would have swelled the amount to 250 dollars above the actual amount.

In the course of these discussions, it turned out, that the apparent change of the letters upon the different boxes of dollars had arisen from the circumstance of the people of the *Jena* having torn off the gunny bags, which enveloped them. Mr. Strettell intimated an intention on the part of the captors, to appeal, in all the cases, on the point of law.

On the motion of Mr. Smith, another uncondemned ship, named the *Mary*, formerly the French Privateer *Adele*, and now the property of Captain Allen, was released from the custody of the Marshal, upon the same terms as the *Barretto*.

The Court then adjouned, until Saturday the 10th proximo. [*Hurk.*

EAST INDIA COMPANY.

A statement of their bond debts and simple contract debts, with the rates of interest they respectively carry, and the amount of such interest; and the state of cash remaining in their treasury, and other effects appertaining to the company in Great Britain and afloat, on the 1st day of March, 1808 :—

To bonds bearing interest at 5l. per Cent. per ann.	£4,206,045
To bonds not bearing interest,	15,417
To Bills of Exchange unpaid, for India,	864,426
To do. China,	629,791
To do. Indian, on account of India debt,	370
To Customs and Excise on Goods sold, and Customs on Goods unsold,	1,410,238
To the Bank, for a Loan on Mortgage of the Annuities that may be sold per Act of 1788, at 4l. per cent. per ann.	700,000
To ditto, for a Loan Bond at 4l. per cent. per ann.	100,000
To ditto, for interest on the above Loans	10,000
To Freight and Demurrage	350,000
To Supra Cargoes, Commission on all Goods sold and unsold,	90,600
To Proprietors of Private Trade on all goods sold	310,000
To Almshouses at Poplar,	64,190
To what owing to the Department of the Committee of Shipping, exclusive of Exports,	120,000
To ditto, for Exports of former seasons,	49,47[illegible]
To ditto, to the Warehouse Contingent Fund,	11,736
To Warrants passed the Court unpaid,	40,700
To what owing for Teas returned by the buyers and resold	971
To Interest on Bonds,	72,794
To Dividends on Stock	[illegible]65,865
	£9,122,651
Balance in favour	9,961,651
	£19,084,272
By what due from Government to the Company	1,207,560
By Cash, its balance on the 1st March 1807	623,693
By the amount of Goods sold and not paid for	377,933
By the Hon. Board of Ordnance for Saltpetre	58,240
By the value of Goods in England unsold	7,815,303
By Cargoes from England not arrived in India and China at the dates of the several Quick Stocks	3,030,590
By Exports, paid for, exclusive of Bullion (Season 1807-8)	1,477,477
By Empress and War Allowances, paid owners of Ships not arrived in England	426,582
By the value of Ships, Sloops, and Vessels, exclusive of those stationed abroad	102,550
By the value of the East India House and Ware houses	1,072,400
By what due from Government for Stores and Supplies to His Majesty's Troops, &c.	2,460,000
By what owing from sundry persons returned from India, and in India, to be paid for in England	31,942
	£19,084,272

COURT OF CHANCERY.

LINCOLN'S INN HALL, MARCH 28.

HEIRS DEALING WITH EXPECTANCES,

BOWES, ESQ. *v.* JACOB

This was a motion for an injunction to restrain the Defendant from proceeding upon a post obit bond for 1300l. given under the following circumstances : The Plaintiff, T. Bowes, Esq. one of the sons of the late Lord Strathmore, being extremly dissressed for money proposed to raise 10,000l. Upon post obit bonds, stipulating to pay back four times the amount of the money advanced, in case his elder brother, George Bowes, Esq. should die without issue male, and he become possessed of his Estates, which he was legally entitled to in case that contingency happened, at that time the Plaintiff was in custody at the suit of the Defendant whose debt and costs amounted to 325l. The Defendant agreed to accept the Plaintiff's proposal, and a Post Obit Bond for 1300l. was executed. Shortly after Mr. George Bowes died, and the Defendant put his Bond in suit.

In support of the Injuuction Sir Samuel Romilly contended, that the Plaintiff being in embarrassed circumstances, had been induced to deal with his expectancies improvidently, and that the transaction was precisely that in which the Court would interfere to give relief. Sir Samuel added, that at the time the bond was given the Defendant knew Mr. George Bowes to be in a bad state of health, and that the contingency was very likely to happen.

After hearing Mr. Richards on the other side the Lord Chancellor ordered the injunction to be granted, and the Plaintiff be made to pay the amount of the original debt and costs into Court within six weeks,

There were two other Motions made of a similar nature, which met a similar result.

IRELAND.

LORD GLENTWORTH'S MARRIAGE.

DUBLIN, MAY 14.—This morning, in the Court of Chancery, the Attorney General (Mr. Saurin) moved the Court on the part of the Earl of Limerick, for an attachment against Mr. William Beaumont, of Sackville street, an eminent Solicitor of that Court, and against his wife, Mrs. Beaumont, on the ground that they had advised and procured the marriage of Miss Edwards, Mrs. Beaumont's daughter, by a former husband, with the Noble Earl's son, Lord Glentworth, who is a minor of only nineteen years of age, although a prohibitory order had issued from that Court, cautioning them against such proceeding, and that the same would be considered as a high contempt. Mr. and Mrs. Beaumont's Affidavits were afterwards read, in order to oppose this application. Mr. B. admitted he was well aware of the intimacy that prevailed between Lord Glentworth and his daughter-in-law, but declared, that he had carefully abstained from taking any step to further it. Mrs. Beaumont admitted she was made very uneasy by the continuance of that intimacy, which had become the topic of public conversation; that she had, in consequence, consulted with some female friends, who thought the business would be best settled by a marriage, and that an intimation to that effect was some way or other, though not strictly from Mrs. Beaumont, conveyed to the young couple, who, it was admitted, were since married at Gretna Green.—The cause shewn against the attachment was allowed as to Mr. Beaumont, and Mrs. Beaumont was ordered to answer further personal interrogations; the attachment was not to issue in the meantime. Miss Edwards, now Lady Glentworth, is a beautiful girl of 17 years of age, and is niece to Sir Jonas Barrington. The Court was amazingly crowded. The Dutchess of Richmond was accommodated with a seat on the Bench, and near her were arranged all the fashion, rank, and beauty Dublin can boast. The Marchioness of Donegal and Thomond. Lady Elizabeth Littlehales, Lady Edward Somerset, Lady Denny Floyd, Lady Rossmore, Lady Cox, &c. &c.

The following curious and novel case af crim. con. is likely to amuse the public next term, if not settled out of Court previously. Some years ago, a gentleman of fortune divorced his wife for an unfortunate slip with a friend. The injured husband recovered 5000l. as damages from the seducer, who, in compliance with the etiquette of fashionable adultery, married the frail object of his love. A few months ago, the first husband and his quondam wife met acidentally in a box at the theatre. The comedy of " First love" was reacted between them; repeated assignations followed, and their intercourse was at last detected. A demand was immediately made that the damages formerly obtained should be returned, but this has been refused, and the second husband proceeds with his action, in the full expectation of recovering double the former sum, in consequence of his antagonist's riches.

THE Original bonâ-fide Creditors of the Nabobs of the Carnatic and their representatives, are requested to meet at the Office of Messieurs Abbott and Maitland, in Fort St. George, at 12 o'clock on Thursday the 29th instant, in order to take into consideration the proceedings hitherto had for the protection of the Fund set a part for their benefit, and what further measures it may be necessary to pursue.

MADRAS LAUDABLE SOCIETY.

AGREEABLY to the second Clause of the Deed of Settlement, the Subscribers to this Society, are requested to attend a general annual Meeting, at the Exchange, to-morrow Thursday, the 22d instant, at three o'clock in the afternoon, for the purpose of electing Directors for the ensuing year.

D. JOHNSON, SECRETARY.

Fort St. George, 16th December, 1808.

OLD MADEIRA.

MESSRS. DALRYMPLE and GREIG, have for sale at their godowns a few Pipes of old Madeira at the following rates.

Per Pipe	Pagodas	200
Ditto,		250
Ditto,		300
and two Pipes very old L. P. at		350

Beach Buildings, 16th Dec. 1808.

STOLEN.

ON Tuesday night last, Stolen from Lieutenant HANSON'S Tent, in Dr. UNDERWOOD'S Garden, Wearing Apparel, and other property to a considerable amount. The principal Articles that will lead to detection, are Military Coats with 14th Regimental Buttons, Black Velvet Facings and Silver scaled Epaulettes, Leather Pantaloons, a Bridle and Saddle having the Stirrup Leathers lengthened with country Leather. The Linen and Trunks marked J. H. If these Articles are offer'd for Sale to any Gentleman, either at the Presidency or elsewhere, Mr. HANSON, trusts the person who offers them will be detained, and, if desired, the apprehender of the property shall be rewarded.

A CARD.

MRS. LEE,

BEGS leave to acquaint the Ladies of the Settlement, that she has received on commission, an elegant assortment of superfine northward long cloths, fresh from the loom, and suitable for gowns, as also a quantity of fashionale wreaths, flowers and feathers, which will be disposed of at moderate prices.

Fort St. George, 17th December 1808.

ADVERTISMENT.

THE COMMITTEE for managing THE BOMBAY MILITARY FUND, finding, from the Number of Tickets in the MILITARY FUND LOTTERY which are still unsold, that there is but little probability of there being enabled to draw the Lottery upon the Plan originally published, have come to the resolution of relinquishing it, and of Substituting in its stead the following modefied Scheme, which the Committee confidently hope will be favorably received by the Public.

Bombay Military Fund

LOTTERY,
for 1808-9.

FOR RUPEES ONE LAC AND EIGHTY SEVEN THOUSAND, FIVE HUNDRED.

(187,500.)

UNDER THE SANCTION & PATRONAGE OF
THE HONORABLE THE GOVERNOR IN COUNCIL,
DIVIDED INTO
2,500 TICKETS,
AT SEVENTY FIVE RUPEES EACH.
TO BE DRAWN ON THE 15th FEBRUARY, 1809

SCHEME.

1	Prize of		Rs. 25,000
2	do.	10,000	20,000
4	do.	5,000	20,000
6	do.	3,000	18,000
30	do.	500	15,000
50	do.	200	10,000
600	do.	100	60,000
693	Prizes.		Rupees 1,68,000
1,807	Blanks.		
	Applicable to the Benefit of the Fund, and to defray the charges of the Lottery		19,500
2,500	Tickets,		Rs. 187,500

*** *Note three Blanks to a Prize.*

1st. The Prizes will be paid at the Office of Messrs Bruce, Fawcet and Co. *free from deduction* in one month after the drawing of the Lottery shall have terminated.

2d. Holders of tickets in the former Lottery will of course have the option of exchanging them for new Tickets or of receiving back the amount.

3d. Tickets signed by two Members and the Secretary of the Committee, will be ready for Sale or Exchange at the Office of Messrs. Bruce, Fawcett and Co. in the 10th of the present month.

BOMBAY, *December* 1, 1808.

Messrs. COLT, HART, and WESTON, are in daily expectation of receiving a supply of tickets in the above Lottery, when they will be ready to exchange them for those sold by them, in the late Lottery, or refund the amount : at the option of the holders.

MADRAS, *December* 20, 1808.

Bill of Exchange.

FOR 450£ STERLING.

WANTED for the use of His Majesty's 59th Regiment, the above sum, by draft on the Agents, (Messrs. GREENWOOD, COX and Co.) at 30 days.

Sealed Proposals will be received until the 1st January, when the Purchaser will be declared by

HICKMAN ROSE,
Pay Master, 1st Battalion, 59th Regiment.

FORT BANGALORE, 16*th December*, 1808.

FOR PRIVATE SALE.

AND MAY BE SEEN AT

MR. HOGG'S,
Coach Manufactory,
ON THE MOUNT ROAD,
THIS DAY,

A HANDSOME bay arab SADDLE HORSE, fit for a light weight, with a Gibson's hunting SADDLE and BRIDLE, nearly new, the property of a Gentleman about to leave the presidency, price 150 Pagodas, also, a LIGHT FULL BODIED BANDY, with HOOD and LAMPS, price 100 Pagodas.

A remarkable Strong Active GREY ARAB RIDING HORSE, thoroughly broke in—in all his Paces & Warranted Sound & quiet Price 350 Pagodas.

ADVERTISEMENT.

GODOWNS of various dimensions, situated near the CUSTOM HOUSE, will be sold collectively or separately, they are all lately built, of the best materials and secured by every means from Vermin, and depredations of every kind, as will be explained.—Any Person desirous of purchasing may apply to Mr. F. F. FORTIN, at the Distillery, and those who may be inclined to barter in preference to paying money may send their Proposals as above.—Likewise a plot of GROUND, on the Sea Face, and adjoining the Custom House, will be disposed of.

TO BE LET OR SOLD.

SITUATED at Vipery, that Elegant SPACIOUS MANSION, lately occupied by Major GENERAL COLLINS, deceased; consisting of, on the Ground Floor, a Saloon 24 feet by 15, 9, dining rooms, 26 feet long by 24 feet wide, 2 Bed Rooms, 24 by 15 feet, three ditto 16 feet square, with Closets attached, and a front Verandah, 24 feet in length, by 9 Feet, 9 Inches in breadth. The upper floor contains an elegant drawing room, of 46 feet 6 Inches, in length by 24 feet 3 Inches, in width, three Bed rooms of 16 feet square each, with two Closets and a Verandah, 24 feet by 10.

The Out-Houses are excellent and commodious, and in the Garden which is well stocked with the choisest Fruit trees &c. there is a neat detached Bungalow. The whole of the premises are in excellent order and surrounded by a brick wall.—For further particulars apply to Lieutenant Rundall, Fort St. George.

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,

To-morrow, THURSDAY, the 22d Instant,

AT HALF PAST 11 O'CLOCK,

STATIONARY, Consisting of Foolscap, Quarto Post—60 Dozen Mogul Cards, & 24 dozen of best Ink Powder.

The above are in high order.

ALSO

Three Iron Cash Chests of Sizes.

Three Casks of Ale.

AND

Twenty five Cases of Brandy, (to the highest bidder to Close a Concern.)

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,

On THURSDAY, the 12th day of January next,

AT 12 O'CLOCK,

(If not previously disposed of by Private Contract.)

AN UPSTAIR HOUSE, facing the Sea Beach, at present Rented by Messrs. COLT, HART and WESTON, at one hundred and fifteen Pagodas per Month.

The premises are Terraced, very Spacious and built of the best Materials—on the Ground Floor are several large Godowns, peculiarly adapted for Goods.

CONDITIONS OF SALE

10 per cent of the purchase money to be paid down, immediately after the Sale, and the residue within ten days in default of which, the premises will be put up and resold at the loss and expence of the first purchaser with all advantages forfeited.

The Expence of conveyance to be borne by the purchaser.

N. B. Further particulars may be known on application to JAMES DOBBIN, at his Auction Room.

By order of the Trustees of Messrs TULLOH, BRODIE, HALYBURTON and Co. for the benefit of the Mortgagee.

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,

On MONDAY next, the 26th Instant,

THE House and Ground formerly the property of the late JOHN JAMES DURAND situated in the Village of St. Thome, opposite the late Mr. P. M. Cassin's Garden, the House and Garden measuring in length from East to West on the North side 276 feet, on the South side 284 feet, in breadth from North to South at the East end 210 feet and at the West End 199 feet, containing in the whole 57,260 Square Feet or about a St. Thome Cawney.

CONDITIONS AS USUAL.

Ten per cent to be paid down, and the remainder within 10 days, the expence of conveyance to be borne by the Purchaser.

SALES BY AUCTION.

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,

To-morrow, THURSDAY, the 22d Instant,

SALE TO COMMENCE,

AT HALF PAST 10 O'CLOCK,

A CHOICE COLLECTION OF

BOOKS.

Catalogues of which will be published and distributed.

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,

To-morrow, THURSDAY, the 22d Instant,

AT 11 O'CLOCK,

TWENTY BAGS OF

COFFEE.

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,

To-morrow, THURSDAY, the 22d Instant,

AT 11 O'CLOCK,

TWO Almiras,—A double Chest of Drawers, —A Sett of Dining Tables and a number of Chairs.

ALSO

Four Platform Carts.

To be Sold by Public Auction,

By James Dobbin,

AT HIS AUCTION ROOM,

On MONDAY next, the 26th, Dec.

SALE TO COMMENCE,

AT HALF PAST 10 O'CLOCK,

A CHOICE collection of Books among which are the Encyclopediae Brittannica in 20 Vols. Quarto.

ALSO

Plate Consisting of a Silver Tea Pot and Stand, a Milk Bowl with Stand, 1 Pair Salt Cellers with Spoons, 1 Pair of Bottle Stands, 1 Marrow Spoon, 1 Soup Ladle, 1 Milk Ladle, 1 Butter Knife, &c. &c.

A Plated Cruet Stand, a Small Cruet frame for Sauces—Sundry Articles of Glass Ware &c. &c.

ALSO

A Two Pole Marque, (nearly new.)

To be Sold by Public Auction,

By James Dobbin,

AT THE GARDEN HOUSE,

BELONGING TO THE LATE

T. B. Hurdis, Esq.

On SATURDAY, the 7th day of January next,

AND

On Monday the 9th, and Succeeding days till the whole are disposed of.

THE Property of the above Gentleman Consisting of Handsome Plate, Elegant Furniture, Pier Glasses, Mirrors, Pictures, Grecian Lamps, Hanging & Wall Shades, Table and Bed Linnen, Wines & Liquors, Setringes, Carpets; Rattan Matts to fit the Hall Room Verandah &c. A Capital Grand Piano Forte—An Handsome Carriage lined with blue Morocco, &c. A pair of Strong Grey Horses, An Elegant Barouche built by Leader, lin'd with Green Morocco & handsomely fitted up, together with a Pair of Grey Horses, A Bengal Built Curricle lin'd with red Morocco, &c. Pair of Handsome Bay Arab Horses and Several Cows & Calves.

ALSO

An Extensive and valuable Collection of Books of the best Editions; in high order.

AND

On MONDAY the 9th Day of January,

AT 1 O'CLOCK PRECISELY,

The House, with detached Bungalow, Out Offices and Stabling, and Garden well laid out with Gravel Walks, the Ground measuring in the whole 14 Cawnies and upwards.

CONDITIONS OF SALE AS USUAL.

N. B. Catalogues of the whole will be distributed, as early as possible.

SALES BY AUCTION.

To be Sold by Public Auction,

By Franck & Thomson,

AT THEIR AUCTION ROOM,

On TUESDAY next, the 27th Instant,

SALE TO COMMENCE,

AT HALF PAST 10 O'CLOCK,

PLATE,

CONSISTING OF

TWO Soup Tureens and covers, 1 Epergne, two Sauce Boats, 9 waiters of sizes, 1 Coffee Pot, 1 Milk bowl and cover, 1 bread basket, 1 Egg boiler and stand, 4 pairs of Curry dishes and covers, 6 Cuspedous, 1 Tea Catty, 3 Sugar vases, 1 pair Candlesticks, 1 table Ring, 1 toast Rack, 1 fish knife, 1 pair Snuffers and Stand, 1 Tea pot and stand, 2 dozen silver forks, 1 dozen Knife handles, 2 Soup ladles, 1 milk do. 2 Gravy spoons, 2 dozen Table spoons, 4 Sauce Ladles, 1 Plated Tea Kettle and stand, 1 do. Bason and Ewer, 2 do. Waiters, 2 do. Fire-stands. Several of the above articles are of the best modern taste, and finished in the highest stile, of London Workmanship.

JEWELLS.

CONSISTING OF

1 Pearl necklace, 1 Ring set with 21 brilliants and 1 large Emerald, 1 Ring set with a large Ruby; 3 Pairs of diamond earrings, 6 Diamond Rings, 1 do. breast pin, 1 do. bow, 1 do. heair pin, 2 Gold watch chains, 1 Pair gold shoe and Knee Buckles, 1 do. neck buckle and gold mounting for a purse.

To be Sold by Public Auction,

By Franck & Thomson,

AT THEIR AUCTION ROOM,

On TUESDAY next the 27th Instant,

IMMEDIATELY after the sale of Plate and Jewells, Ten Chests of the latest imported Hyson tea and thirty tubs of first sort sugar Candy.

UNCLEARED LOTTS.

Franck & Thomson,

BEG to state, that having experienced great inconvenience by uncleared lotts, that such as may remain at their Auction Room, will positively be resold at the risque and expence of the first purchaser with all advantages forfeited on Tuesday the 3d of January 1809.

Franck & Thomson,

BEG leave to inform their Friends and the Public, that their second days sale, as per Catalogue, of the remains of the Investment imported by the late Mr. Thomas Wigzell, will take place at their Auction Room, on Friday next, the 23d Instant, Sale to Commence, at half past 10 o'clock, consisting of, Rich Glass-Ware, a Plated Mounted Curricle and Tandum Harness, Cavalry and Hunting Saddles complete—Bandy and Horsewhips, and spare Sadlery, Ivory and black handled Knives and Forks and Savigney's Razors, Tea Kettles, Coffee Pots and Japann'd tin Bread trays, 9 inch brass case and cover plate Locks, Beer and Wine Casks, Perfumery and Quills.

To be Sold by Public Auction,

By Daniel Mackay,

AT HIS AUCTION ROOM,

This day WEDNESDAY, the 21st Instant,

SALE TO COMMENCE,

AT 10 O'CLOCK,

TO CLOSE A CONCERN.

SCARLETCLOTH, Gibsons Military Saddles and Bridles complete, Europe Chintz, White Jean, Telescopes, Books, a Box of Reves's Colours, a large Mahogany Dressing Case complete, Hogarths Works, a Box of Shells, 2 Elegant Ivory Work Boxes and Sundry other articles.

AFTER WHICH

1 Silver Cruet Stand with 8 Bottles, 2 New Cases of Surgical Instruments, 1 Duplex Gold Repeater by James M'Cabe, a Set of Black'd Dining Tables on Claw feet 11 by 5, 3 Bundles of Silver Cord, 12 Silver Breast Plates, 3 Bundles of Coach and Carpet Fringe, 1 Silver Hunting Watch, 19 Reams of Demy, 12 doz. Cotton Hose, and Sundry other articles.

AT 12 O'CLOCK,

1 Second hand Mahana Palanqueen, lined with red Morocco and Lamps.

SALES BY AUCTION.

To be Sold by Public Auction,

By John Reilly,

AT THE HOUSE OF THE

COMMANDER IN CHIEF,

IN THE FORT,

On SATURDAY next, the 24th Instant,

SALE TO COMMENCE,

AT HALF PAST 10 O'CLOCK,

THE property of His Excellency Lieutenant General HAY MACDOWALL, consisting of plate, furniture, Books, liquors, a curricle, Horses, &c &c. Catalogues of which will be published and distributed as early as possible.

N. B. It is particularly requested of those Gentlemen, who may have borrowed books from His Excellency's library, will have the goodness to send them to John Reilly, No. 6, Popham's broad-way.

To be Sold by Public Auction,

By R. A. Ashton,

AT HIS AUCTION ROOM,

This day WEDNESDAY, the 21st Instant,

SALE TO COMMENCE.

AT HALF PAST 10 O'CLOCK,

A FEW Rolls of Black & white Gauze for Ladies Veil, 60 pieces of Ribbands of various colour, 35 pieces of Chints, white Camlet, 24 Black Hats, a few Bottles of Hoffman's Carraways in high preservation, 4 Do. Brass door-locks of 6, 7, 8, & 9, Inches, a few Setts of Black handled Knifes & forks, one Dozen Padlocks, and Sundry other Articles.

AT 1 O'CLOCK.

A Pannelled Bandy with Hood, & a railed Bandy on Curricle Springs lined with morocco.

FOR PRIVATE SALE.

A NEAT light Pannelled Bandy lined with red Morocco & Europe lace, with Hood & Lamps, price 70 Pagodas, also a new light Bandy with Hood, built with the best materials & finished with great neatness.

Madras Lottery.

FOURTH DAY'S DRAWING,

IN THE SECOND CLASS,

THURSDAY, DECEMBER 15, 1808.

Nos. 1847 1918 2732 Prizes of 200 Star Pags. each.

Nos. 3547 4588 4599 Prizes of 100 Star Pags. each.

PRIZES OF 50 STAR PAGODAS EACH.

175 241 261 348 397 500 607 639
783 1332 1279 1864 1863 2118 2088 2981
2803 2982 2304 2766 2352 2516 2570 2755
2027 2945 3684 3458 3521 3756 3537 3588
4438 4104 4453 4694 4734 4662 4889 4080
4654 4751 4601 5709 5630 5609 5144 5660
5449 5124 5675 5633 5452 5492 6030 6214
6436 6099 6562 6541 6956 6031 6098 6544
6170 6384 7678 7476 7338 7952 7129 7296
7485 7047 7849 7440 7930 7158 7825 7327
7995 8600 8529 8386 8200 8483 8291 8524
8975 8499 8187 9309 9176 9285 9963 9350
9049 9489 9097 9799 9193 10210 10288 10254
10467 10796 10415 10599 10445 10373 10564
11992 11000 11267 11118 11319 11943 11421
11150.

FIFTH DAY'S DRAWING,

IN THE SECOND CLASS,

MONDAY, DECEMBER 19, 1808.

No, 11571 a Prize of 500 Star Pagodas.

No. 6084 a Prize of 200 Star Pagodas.

Nos. 2274 3021 4320 4093 7716 10461 Prizes of 100 Star Pagodas.

PRIZES OF 50 STAR PAGODAS EACH.

6 90 602 121 485 826 204 282 1077 1410
1615 1896 1712 1359 1038 2553 2480 2854
2215 2594 2315 2455 2398 2806 3630 3502
3670 3036 3779 3445 3820 3590 3666 3466
3457 4324 4302 4783 4929 4993 4502 4497
4912 4814 4417 4988 4124 4680 4762 5153
5888 5349 5858 5836 5971 5652 5231 5010
6281 6977 6744 6479 6774 7104 7745 7943
7873 7534 7860 7811 7096 7852 7447 7232
7934 7363 7395 7648 8421 8689 8251 8544
8393 8292 8498 8305 8725 8063 8112 8330
8095 8674 9015 9541 9500 9106 9017 9576
10714 10268 10694 10367 10525 10456 10494
10152 10515 10443 10197 10207 10163 10695
11260 11186 11374 11430 11443 11454 4335
11368.

HEEFKE AND SON, AGENTS.

MADRAS:—PRINTED BY WILLIAM SMITH, NEXT DOOR TO THE TOWN MAJOR'S HOUSE IN THE FORT.

*** It is requested that those SUBSCRIBERS to the COURIER who are occasionally changing their Residence, will give early notice of the place to which they remove to the PRINTER who will pay attention to their orders, and any SUBSCRIBERS at the Presidency to whom the Peons may not deliver the Paper in proper time, are requested to give information of the same in order that this irregularity may be prevented in future.